

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION

MDL 2804

OPIATE LITIGATION

Case No. 17-md-2804

This document relates to:

Hon. Dan Aaron Polster

County of Summit, et al. v. Purdue Pharma L.P., et al.; Case No. 1:18-op-45090

DECLARATION OF MARK P. CHALOS IN SUPPORT OF PLAINTIFFS' OPPOSITION TO MALLINCKRODT PLC'S MOTION TO STRIKE DECLARATION OF ALEC FAHEY

I, Mark P. Chalos, declare as follows:

1. I am the managing partner of the Nashville office of the law firm Lieff Cabraser Heimann & Bernstein, LLP. I have personal knowledge of the facts set forth herein and could competently testify to them if called upon to do so.

2. Attached hereto as Exhibit 1 is a true and correct copy of ARCOS Data for Summit and Cuyahoga Counties taken from *Drilling Into the DEA's Pain Pill Database*, Wash. Post. (July 21, 2019), https://www.washingtonpost.com/graphics/2019/investigations/dea-pain-pill-database/?utm_term=.647b76beb86e.

3. Attached hereto as Exhibit 2 is a true and correct copy of Mallinckrodt Inc.'s Amendment No. 2 to Annual Report (Form 10-K) (June 27, 2019).

4. Attached hereto as Exhibit 3 is a true and correct copy of the Meg Tirrell, *One Opioid Drugmaker's Solution to Billions of Potential Liabilities: Spin Them Out into New*

Company, CNBC (July 23, 2019 6:00 A.M), <https://www.cnbc.com/2019/07/22/one-opioid-drugmakers-solution-to-potential-liabilities-spin-them-out.html>.

5. Attached hereto as Exhibit 4 is a true and correct copy of *Gould v. JPDI*, No.: 83-10899 CA 32, Order on Proceedings Supplementary to Execution, (Fl. Cir. Ct. Mar. 9, 2006).

6. Attached hereto as Exhibit 5 is a true and correct copy of Plaintiffs' July 3, 2018 Letter Requesting that Mallinckrodt plc Accept Service of Federal Complaints, not Including CT1 Plaintiffs.

7. Attached hereto as Exhibit 6 is a true and correct copy of Mallinckrodt plc's August 2, 2018 Email Refusing to Accept Service of the Federal Complaints.

8. Attached hereto as Exhibit 7 is a true and correct copy of Plaintiffs' October 15, 2018 Letter Requesting that Mallinckrodt Accept Service of Federal Complaints, including CT1 Cases.

9. Attached hereto as Exhibit 8 is a true and correct copy of Mallinckrodt plc's October 18, 2018 Letter Refusing to Accept Service of the Federal Complaints.

10. Attached hereto as Exhibit 9 is a true and correct copy of Mallinckrodt plc's January 11, 2019 Email Acceptance of CT1 Complaints.

11. Attached hereto as Exhibit 10 is a true and correct copy of Plaintiffs' January 25, 2019 Email Propounding Jurisdictional Discovery on Mallinckrodt plc.

12. Attached hereto as Exhibit 11 is a true and correct copy of Mallinckrodt plc's March 4, 2019 Letter.

13. Attached hereto as Exhibit 12 is a true and correct copy of Mallinckrodt plc's Responses and Objections to Plaintiffs' First Set of Requests for Production, and Mallinckrodt plc's Responses and Objections to Plaintiffs' First Set of Interrogatories from March 8, 2019.

14. Attached hereto as Exhibit 13 is a true and correct copy of Mallinckrodt plc's March 11, 2019 Letter.

15. Attached hereto as Exhibit 14 is a true and correct copy of Mallinckrodt plc's April 5, 2019 Letter Producing Limited Jurisdictional Discovery.

16. Attached hereto as Exhibit 15 is a true and correct copy of Mallinckrodt plc's May 10, 2019 Letter Purportedly Completing Limited Personal Jurisdiction Document Production.

17. Attached hereto as Exhibit 16 is a true and correct copy of the North Carolina State Board of CPA Examiners, Public Session Minutes dated Sept. 22, 2008, taken from <https://nccpaboard.gov/wp-content/uploads/2011/07/09-2008-Minutes.pdf>.

18. Attached hereto as Exhibit 17 is a true and correct copy of 21 NCAC 08G.0406 "Compliance with CPE Requirements."

19. Attached hereto as Exhibit 18 is a true and correct copy of *Inv'rs Asset Acquisition, LLC v. Scardina*, No. 2014CA004618, Order Granting in Part and Denying in Part Plaintiffs' Motion in Limine to Exclude Alex [sic] Fahey's Expert Testimony, (Fla. Cir. Ct. Jan. 27, 2017).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Nashville, Tennessee this the 26th day of July, 2019.



Mark P. Chalos